

Calendar No. 146

105TH CONGRESS  
1ST Session

**S. 308**

[Report No. 105-64]

**A BILL**

To require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

SEPTEMBER 2, 1997

Reported with an amendment and an amendment to the title

**Calendar No. 146**

105TH CONGRESS  
1ST SESSION

**S. 308**

**[Report No. 105-64]**

To require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 1997

Mr. THOMAS (for himself and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 2, 1997

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italic*]

---

**A BILL**

To require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 Congress finds that—

3 (1) open space near Grand Teton National  
4 Park continues to decline;

5 (2) as the population continues to grow in  
6 Teton County, Wyoming, undeveloped land near the  
7 Park becomes more scarce;

8 (3) the loss of open space around Teton Park  
9 has negative impacts on wildlife migration routes in  
10 the area and on visitors to the Park, and its reper-  
11 cussions can be felt throughout the entire region;

12 (4) a few ranches make up Teton Valley's re-  
13 maining open space, and the ranches depend on  
14 grazing in Grand Teton National Park for summer  
15 range to maintain operations;

16 (5) the Act that created Grand Teton National  
17 Park allowed several permittees to continue livestock  
18 grazing in the Park for the life of a designated heir  
19 in the family;

20 (6) the last remaining heirs have died, and as  
21 a result the open space around the Park will most  
22 likely be subdivided and developed;

23 (7) in order to develop the best solution to pro-  
24 tect open space immediately adjacent to Grand  
25 Teton National Park, the Park Service should con-

1       duct a study of grazing in the area and its impact  
2       on open space in the region; and

3           (8) the study should develop workable solutions  
4       that are fiscally responsible and acceptable to the  
5       National Park Service, the public, local government,  
6       and landowners in the area.

7   **SEC. 2. STUDY OF GRAZING USE.**

8       (a) IN GENERAL.—The Secretary of the Interior shall  
9       conduct a study concerning grazing use in Grand Teton  
10      National Park, Wyoming, and associated use of certain  
11      agricultural and ranch lands within and adjacent to the  
12      park, including—

13           (1) base land having appurtenant grazing privi-  
14      leges within Grand Teton National Park, Wyoming,  
15      remaining after January 1, 1990, under the Act en-  
16      titled “An Act to establish a new Grand Teton Na-  
17      tional Park in the State of Wyoming, and for other  
18      purposes”, approved September 14, 1950 (16 U.S.C.  
19      406d–1 et seq.); and

20           (2) any ranch and agricultural land adjacent to  
21      the park, the use and disposition of which may af-  
22      fect accomplishment of the purposes of the Act.

23      (b) PURPOSE.—The study shall—

24           (1) determine the significance of the ranching  
25      use and pastoral character (including open vistas;

1 wildlife habitat, and other public benefits) of the  
 2 land;

3 (2) determine the significance of that use and  
 4 character to the purposes for which Grand Teton  
 5 National Park was established;

6 (3) identify any need for preservation of, and  
 7 practicable means of preserving, the land that is  
 8 necessary to protect that use and character; and

9 (4) estimate the costs of implementing any rec-  
 10 ommendations made for the preservation of the land.

11 (c) PARTICIPATION.—In conducting the study, the  
 12 Secretary of the Interior shall seek participation from the  
 13 Governor of the State of Wyoming, the Teton County  
 14 Commissioners, the Secretary of Agriculture, affected  
 15 landowners, and other interested members of the public.

16 (d) REPORT.—Not later than 3 years after the date  
 17 of enactment of this Act, the Secretary of the Interior  
 18 shall submit a report to Congress that contains the find-  
 19 ings of the study under subsection (a) and makes rec-  
 20 ommendations to Congress regarding action that may be  
 21 taken with respect to the land described in subsection (a).

22 **SEC. 3. EXTENSION OF GRAZING PRIVILEGES.**

23 (a) IN GENERAL.—Subject to subsection (b), the Sec-  
 24 retary of the Interior shall reinstate and extend for the  
 25 duration of the study described in section 2(a), the grazing

1 privileges described in section 2(a)(1), under the same  
 2 terms and conditions as were in effect prior to the expira-  
 3 tion of the privileges.

4 (b) EFFECT OF CHANGE IN LAND USE.—If, during  
 5 the period of the study, any portion of the land described  
 6 in section 2(a)(1) is disposed of in a manner that would  
 7 result in the land's no longer being used for ranching or  
 8 other agricultural purposes, the Secretary of the Interior  
 9 shall cancel the extension described in subsection (a).

#### 10 **SECTION 1. FINDINGS.**

11 *Congress finds that—*

12 (1) *open space near Grand Teton National Park*  
 13 *continues to decline;*

14 (2) *as the population continues to grow in Teton*  
 15 *County, Wyoming, undeveloped land near the park*  
 16 *becomes more scarce;*

17 (3) *the loss of open space around Grand Teton*  
 18 *National Park has negative impacts on wildlife mi-*  
 19 *gration routes in the area and on visitors to the park,*  
 20 *and its repercussions can be felt throughout the entire*  
 21 *region;*

22 (4) *a few ranches make up Teton Valley's re-*  
 23 *maining open space, and the ranches depend on graz-*  
 24 *ing in Grand Teton National Park for summer range*  
 25 *to maintain operations;*

1           (5) *the Act that created Grand Teton National*  
 2           *Park allowed several permittees to continue livestock*  
 3           *grazing in the park for the life of a designated heir*  
 4           *in the family;*

5           (6) *some the last remaining heirs have died, and*  
 6           *as a result of the possible termination of ranching, the*  
 7           *open space around the park may likely be subdivided*  
 8           *and developed;*

9           (7) *in order to develop the best solution to pro-*  
 10          *tect open space immediately adjacent to Grand Teton*  
 11          *National Park, the National Park Service should con-*  
 12          *duct a study of grazing in the area and its impact*  
 13          *on open space in the region; and*

14          (8) *the study should develop workable solutions*  
 15          *that are fiscally responsible and acceptable to the Na-*  
 16          *tional Park Service, the public, local government, and*  
 17          *landowners in the area.*

18 **SEC. 2. STUDY OF GRAZING USE AND OPEN SPACE.**

19          (a) *IN GENERAL.*—*The Secretary of the Interior (here-*  
 20          *inafter referred to as the “Secretary”), shall conduct a study*  
 21          *concerning grazing use and open space in Grand Teton Na-*  
 22          *tional Park, Wyoming (hereinafter referred to as the*  
 23          *“park”), and associated use of certain agricultural and*  
 24          *ranch lands within and adjacent to the park, including—*

1           (1) *base land having appurtenant grazing privi-*  
2           *leges within the park, remaining after January 1,*  
3           *1990, under the Act entitled “An Act to establish a*  
4           *new Grand Teton National Park in the State of Wyo-*  
5           *ming, and for other purposes”, approved September*  
6           *14, 1950 (16 U.S.C. 406d–1 et seq.); and*

7           (2) *any ranch and agricultural land adjacent to*  
8           *the park, the use and disposition of which may affect*  
9           *accomplishment of the purposes of the park’s enabling*  
10          *Act.*

11          (b) *PURPOSE.—The study shall—*

12           (1) *assess the significance of the ranching use*  
13           *and pastoral character (including open vistas, wild-*  
14           *life habitat, and other public benefits) of the land;*

15           (2) *assess the significance of that use and char-*  
16           *acter to the purposes for which the park was estab-*  
17           *lished, and identify any need for preservation of, and*  
18           *practicable means of preserving, the land that is nec-*  
19           *essary to protect that use and character; and*

20           (3) *recommend a variety of economically feasible*  
21           *and viable tools and techniques to retain the pastoral*  
22           *qualities of the area, and estimate the costs of imple-*  
23           *menting any recommendations made for the preserva-*  
24           *tion of the land.*



1       (c) *PARTICIPATION.*—*In conducting the study, the Sec-*  
 2 *retary shall consult with the Governor of the State of Wyo-*  
 3 *ming, the Teton County Commissioners, the Secretary of*  
 4 *Agriculture, affected landowners, and other interested mem-*  
 5 *bers of the public.*

6       (d) *REPORT.*—*Not later than 3 years from the date*  
 7 *funding is made available, the Secretary shall submit a re-*  
 8 *port to Congress that contains the findings of the study*  
 9 *under subsection (a) and makes recommendations to Con-*  
 10 *gress regarding action that may be taken with respect to*  
 11 *the land described in subsection (a).*

12 **SEC. 3. EXTENSION OF GRAZING PRIVILEGES.**

13       (a) *IN GENERAL.*—*Subject to subsection (b), the Sec-*  
 14 *retary shall reinstate and extend for the duration of the*  
 15 *study described in section 2(a) and until such time as 6*  
 16 *months after the recommendations of the study are submit-*  
 17 *ted, the grazing privileges described in section 2(a)(1),*  
 18 *under the same terms and conditions as were in effect prior*  
 19 *to the expiration of the privileges.*

20       (b) *EFFECT OF CHANGE IN LAND USE.*—*If, during the*  
 21 *period of the study or until 6 months after the recommenda-*  
 22 *tions of the study are submitted, any portion of the land*  
 23 *described in section 2(a)(1) is disposed of in a manner that*  
 24 *would result in the land no longer being used for ranching*

- 1 *or other agricultural purposes, the Secretary shall cancel*
- 2 *the extension described in subsection (a).*

Amend the title so as to read: “A bill to require the Secretary of the Interior to conduct a study concerning grazing use and open space of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.”.